

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

	)	CASE NO.: 19-01303
	)	CHAPTER 13
Helen Marie Rizzo	)	
	)	
	)	
Debtor(s)	)	

OBJECTION TO OLIVIA AUSTIN AND MICHELLE DINATALE'S  
MOTION TO AUTHORIZE RELEASE OF FUNDS

Comes now the Debtor, Helen Marie Rizzo, by her undersigned counsel and responds to Olivia Austin and Michelle Dinatale's Motion to Authorize Release of Funds. As grounds for her response to the Objection to the Plan of reorganization, Debtor alleges as follows:

On July 29, 2019 this Court issued an Order modifying the Automatic Stay under limited conditions. Most importantly, this Court granted relief "to allow the state court to conduct a bench trial within a six-month period... to determine the rights of the parties to the disputed funds..."

Despite this Court's order, a bench-trial was not conducted nor were the rights of the parties to the disputed funds determined by a bench-trial. Rather, a default judgment was drafted by Movant's counsel, subsequently issued by the Court, and a Notice of Appeal of that Order has been filed.

WHEREFORE, Debtor respectfully requests that Movant's Motion to Authorize the Release of Funds be denied and that the Stay continue to be modified as to allow the appeals process to be completed.

/s/ Michael Matthews \_\_\_\_\_  
Michael Matthews  
Federal Court ID 10012  
2015 Boundary Street Ste 319  
Beaufort, SC 29902  
(843) 379-0702

September 1, 2020

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

	)	CASE NO.: 19-01303
	)	CHAPTER 13
Helen Marie Rizzo	)	
	)	CERTIFICATE OF MAILING
	)	
Debtor(s)	)	

I, the undersigned legal assistant of the law office of Michael Matthews, Attorney at Law, attorneys for the debtor(s), do hereby certify that I have mailed a copy of the Debtor's Objection to Olivia Austin and Michelle Dinatale's Motion to Authorize Release of Funds in the above matter, postage prepaid to each of the parties listed below in said action, this 1st day of September, 2020.

F. Truett Nettles, II  
District Court ID 2520  
Finkel Law Firm, LLC  
Post Office Box 41489  
Charleston, SC 29423  
843-577-5460

And

Magalie A. Creech  
District Court ID 10871  
Finkle Law Firm, LLC  
Post Office Box 41489  
Charleston, SC 24923  
843-577-5460

Trustee: James M. Wyman, via cm/ecf

/s/ Jenny Durham  
Jenny Durham